



Jeff Youtz  
Director

# Legislative Services Office Idaho State Legislature

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## MEMORANDUM

**TO:** Senators HEIDER, Nuxoll, Bock and  
Representatives RAYBOULD, Eskridge, Smith

**FROM:** Katharine Gerrity - Principal Legislative Research Analyst

**DATE:** July 05, 2013

**SUBJECT:** Temporary Rule - Occupational Licenses - Board of Drinking Water & Wastewater Professionals

IDAPA 24.05.01 - Rules of the Board of Drinking Water & Wastewater Professionals (Fee Rule)  
Temporary Rule - Docket No. 24-0501-1301

We are forwarding this temporary rule to you for your information only. No analysis was done by LSO. This rule is posted on our web site. Please call with any questions - 334-4845. Thank you.

Mike Nugent, Manager  
Research & Legislation

Cathy Holland-Smith, Manager  
Budget & Policy Analysis

April Renfro, Manager  
Legislative Audits

Glenn Harris, Manager  
Information Technology

## PROPOSED RULE COST/BENEFIT ANALYSIS

Section 67-5223(3), Idaho Code, requires the preparation of an economic impact statement for all proposed rules imposing or increasing fees or charges. This cost/benefit analysis, which must be filed with the proposed rule, must include the reasonably estimated costs to the agency to implement the rule and the reasonably estimated costs to be borne by citizens, or the private sector, or both.

Department or Agency: Bureau of Occupational Licenses

Agency Contact: Cherie Simpson Phone: 208 334-3233

Date: June 13, 2013

IDAPA, Chapter and Title Number and Chapter Name:

Title 54, Chapter 24, Idaho code – IDAPA 24-05-01 – RULES OF THE BOARD OF DRINKING WATER AND WASTEWATER PROFESSIONALS

Fee Rule Status:  Proposed  Temporary

Rulemaking Docket Number: 24-0501-1301

### STATEMENT OF ECONOMIC IMPACT:

There is no impact on general funds. These changes will allow the Board to charge less than the fee charged by the examination provider in order to ensure the cost of online and written examinations are equal. The changes will result in approximately an \$1100 reduction in the board's dedicated fund, based on the number examinees who took the on-line examination in calendar year 2012.

## IDAPA 24 - BUREAU OF OCCUPATIONAL LICENSES

### 24.05.01 - RULES OF THE BOARD OF DRINKING WATER AND WASTEWATER PROFESSIONALS

#### DOCKET NO. 24-0501-1301 (FEE RULE)

#### NOTICE OF RULEMAKING - ADOPTION OF TEMPORARY RULE

**EFFECTIVE DATE:** The effective date of the temporary rule is May 8, 2013.

**AUTHORITY:** In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Sections 54-2406 and 54-2407, Idaho Code.

**DESCRIPTIVE SUMMARY:** The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule:

House Bill 185 was passed in the 2013 legislative session to address an increase in the examination fees charged by the exam provider.

**TEMPORARY RULE JUSTIFICATION:** Pursuant to Sections 67-5226(1)(b) and (c), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

House Bill 185 was passed in the 2013 legislative session to address an increase in the examination fees charged by the exam provider. This change will allow the Board to charge less than the fee charged by the examination provider in order to ensure the cost of online and written examinations are equal.

**FEE SUMMARY:** Pursuant to Section 67-5226(2), the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein:

Rule 200 is being amended to provide that the examination fees shall not be greater than those charged by the examination provider to comply with Section 54-2407, Idaho Code.

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance on technical questions concerning the temporary rule, contact Cherie Simpson at 208 334-3233.

DATED this 7th day of June, 2013.

Tana Cory  
Bureau Chief  
Bureau of Occupational Licenses  
700 W State St.  
P O Box 700  
Boise, ID 83720-0063  
208 334-3233; 208 334-3945 fax

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#### THE FOLLOWING IS THE TEXT OF THE TEMPORARY FEE RULE FOR DOCKET NO. 24-0501-1301

**200. FEES FOR EXAMINATION AND LICENSURE (RULE 200).**

The fees for each license type and classification shall be as follows: (3-24-05)

**01. Application Fee.** Application fee -- twenty-five dollars (\$25). (3-24-05)

**02. Examination Fee.** The examination fees shall not be greater than those fees charged by the Association of Boards of Certification (ABC) or other approved examination provider. Fees paid by applicants approved for a scheduled examination are not refundable. New examination fees are required for each scheduled additional examination. ~~(3-21-12)~~(5-8-13)T

**03. Endorsement Fee.** Endorsement fee -- thirty-five dollars (\$35). (3-29-10)

**04. Original License Fee.** Original license fee -- thirty-five dollars (\$35). (3-29-10)

**05. Annual Renewal Fee.** Annual renewal fee -- thirty-five dollars (\$35). (3-29-10)

**06. Reinstatement Fees.** Reinstatement fee -- twenty-five dollars (\$25). (3-24-05)

**07. Refund of Fees.** No refund of fees shall be made to any person who has paid such fees for application. (3-21-12)